

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION**

**TRACEY JAMES**

**PLAINTIFF**

**V.**

**CAUSE NO. 3:18-CV-678-CWR-FKB**

**ANTARCTIC MECHANICAL SERVICES, INC., *et al.***

**DEFENDANTS**

**ORDER**

Before the Court is Defendant AMS Mechanical Holdings, Inc.'s (AMH) unopposed Motion for Summary Judgment. AMH seeks summary judgment in its favor on all of Plaintiff Tracey James' claims against it. In support of its motion, AMH argues that it was not incorporated or otherwise in existence at the time of the accident at issue in this matter and, accordingly, that it did not employ Defendant Phillip Bertellotti who has admitted committing simple negligence in causing the accident.

Having considered AMH's Motion, applicable law, and being otherwise fully advised in the premises, the Court concludes that there is no genuine issue of material fact as to any of James' claims or allegations against AMH, and AMH is entitled to summary judgment as a matter of law. Fed. R. Civ. P. 56.

Accordingly, AMH's Motion for Summary Judgment is **GRANTED**. James' claims against AMH are **DISMISSED WITH PREJUDICE**.

**SO ORDERED**, this the 12th day of December, 2019.

s/ Carlton W. Reeves  
UNITED STATES DISTRICT JUDGE